

87th Legislative Session – 2012

Committee: House Judiciary

Monday, January 23, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Boomgarden
E Feinstein
P Gibson
P Hansen (Jon)
P Killer
P Kopp
P Nelson (Stace)
P Russell
P Tornow
P Turbiville
P Gosch, Vice-Chair
P Hunt, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman, Representative Roger Hunt.

MOTION: TO APPROVE THE MINUTES OF JANUARY 20, 2012

Moved by: Turbiville
Second by: Gibson

Representative Tornow objected to the Minutes, stating that the Turbiville motion to defer HB 1015 to the forty-first day was not a substitute motion, nor seconded as a substitute motion, and was therefore incorrectly recorded in the Minutes.

The Chair ruled that regardless of the wording of Representative Turbiville's motion to defer to the forty-first day, that Representative Turbiville's intent that the motion was a substitute motion was

clear and that the Chair had subsequently announced the Turbiville Motion as a substitute motion. Since no Point of Order was timely made, HB 1015 was subsequently deferred to the forty-first day.

Action: Prevailed by voice vote.

Prior to the voting to approve the minutes, Representative Nelson (Stace) moved to Call the Question on his motion to Amend HB 1015 with Amendment 1015rc stating that since the Turbiville Amendment to defer HB1015 to the forty-first day was Out of Order, his motion to Amend was the pending motion.

The Chair ruled that HB 1015 was currently lying on the table and that Representative Nelson's motion to Call the Question on his Amendment was thus Out of Order.

HB 1045: revise various trust provisions.

MOTION: DO PASS HB 1045

Moved by: Turbiville
Second by: Gibson
Action: Was not acted on.

MOTION: AMEND HB 1045

1045ra

On page 1, line 5, of the printed bill, overstrike ",",.

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

MOTION: SUBSTITUTE MOTION TO INTRODUCE THREE COMMITTEE BILLS
 EMBRACING THE SEPARATE SUBJECTS CONTAINED IN HB 1045.

Moved by: Tornow
Second by: Nelson (Stace)
Action: Failed by roll call vote. (4-8-1-0)

Voting Yes: Kopp, Nelson (Stace), Russell, Tornow

Voting No: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Turbiville, Gosch, Hunt

Excused: Feinstein

MOTION: CALL THE QUESTION

Moved by: Abdallah

Second by: Gosch

Action: Prevailed by voice vote.

MOTION: DO PASS HB 1045 AS AMENDED

Moved by: Gosch

Second by: Turbiville

Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Russell, Turbiville, Gosch, Hunt

Voting No: Nelson (Stace), Tornow

Excused: Feinstein

HB 1060: permit a probationer who is a registered sex offender to reside in an assigned halfway house or supervised living center within a community safety zone.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1060

Moved by: Turbiville

Second by: Gibson

Action: Prevailed by roll call vote. (9-3-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Tornow, Turbiville, Gosch, Hunt

Voting No: Kopp, Nelson (Stace), Russell

Excused: Feinstein

HB 1061: amend certain provisions related to interpreter services in the court system.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1061

Moved by: Tornow
Second by: Hansen (Jon)
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Excused: Abdallah, Feinstein

MOTION: PLACE HB 1061 ON CONSENT CALENDAR

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

HB 1062: clarify the supporting documentation necessary for a request to implement the standard visitation guidelines.

Presented by: Greg Sattizahn, Unified Judicial System
Dan Todd, Department of Social Services

MOTION: DO PASS HB 1062

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by roll call vote. (10-1-2-0)

Voting Yes: Boomgarden, Gibson, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Voting No: Killer

Excused: Abdallah, Feinstein

HB 1063: repeal certain statutes related to the testimony of sex offense victims and to evidence of a victim's prior sexual conduct and to establish the rationale and effect of the repeal.

Presented by: Greg Sattizahn, Unified Judicial System (Handouts: #1)
Dan Todd, Department of Social Services

MOTION: DO PASS HB 1063

Moved by: Gibson
Second by: Killer
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Excused: Feinstein

HB 1064: allow the Supreme Court to establish certain rules for the use of interactive audio visual equipment and to provide for the collection and deposit of fees for the use thereof.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DO PASS HB 1064

Moved by: Abdallah
Second by: Kopp
Action: Prevailed by roll call vote. (11-1-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Tornow, Turbiville, Gosch, Hunt

Voting No: Russell

Excused: Feinstein

HB 1069: increase the amount of income and principal of a perpetual fund used to maintain a cemetery.

Presented by: Representative Roger Hunt

MOTION: DO PASS HB 1069

Moved by: Hansen (Jon)

Second by: Abdallah
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Abdallah, Boomgarden, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

Excused: Feinstein

MOTION: PLACE HB 1069 ON CONSENT CALENDAR

Moved by: Kopp
Second by: Hansen (Jon)
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

Bonnie Fischer
Committee Secretary

Roger W. Hunt, Chair